

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY BERG,

Petitioner,

CASE NO. 07-14565

v.

HON. MARIANNE O. BATTANI

LINDA M. METRISH,

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DENYING PETITIONER'S MOTION**

Petitioner Timothy Berg filed a letter asking the Court to reissue its decision denying his petition for writ of habeas corpus. Magistrate Judge R. Steven Whalen construed the letter as a motion for relief from judgment and recommended that the motion be denied. (See Doc. No. 24).

In his Report and Recommendation, Magistrate Judge Whalen informed Berg that any objection must be filed within "fourteen (14) days of service," and that a failure to file an objection constituted a waiver of any further right of appeal. (Doc. No. 24 at 10).

Because Petitioner has not filed an objection the Court **ADOPTS** the Report and Recommendation, and **DENIES** Petitioner's motion.

IT IS SO ORDERED.

Date: December 30, 2015

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on December 30, 2015.

s/ Kay Doaks
Case Manager